

NOV 20 2006

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**Birch, Stewart, Kolasch & Birch, LLP**

# Fax

To: **USPTO** From: **CHARLES GORENSTEIN**  
No.: 29,271

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Fax: (571) 273-8300 Pages: 8 (including cover sheet)

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Application No(s): 10/549,697 Our Ref(s): 1247-0538PUS1

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Subject: Request for a Corrected Official Filing Receipt

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PATENT  
1247-0538PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): KIMURA, Takahiko et al. Conf.: 9554  
 Appl. No.: 10/549,697 Group: Unknown  
 Filed: September 19, 2005 Examiner: Unknown  
 For: REMAINING AMOUNT OF TONER DETECTING  
 APPARATUS, TONER CARTRIDGE AND IMAGE  
 FORMING APPARATUS

REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

NOV 20 2006

Sir:

Attached hereto is the Official Filing Receipt in connection  
 with the above-identified application.

THE FOLLOWING CORRECTION(S) IS/ARE RESPECTFULLY REQUESTED:

TITLE-

Change from: "REMAINING AMOUNT OF TONE DETECTING  
 APPARATUS, TONER CARTRIDGE AND IMAGE  
 FORMING APPARATUS"

To: --REMAINING AMOUNT OF TONER DETECTING  
 APPARATUS, TONER CARTRIDGE AND IMAGE  
 FORMING APPARATUS--

It is respectfully requested that the U.S. Patent and  
 Trademark Office forward/issue a new Filing Receipt with the  
 correction(s) indicated above. Support for the correction(s) is

Appl. No. 10/549,697

readily apparent on the enclosed photocopy of the Declaration and Power of Attorney document.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
CHARLES GORENSTEIN, #29,271

CG/ang  
1247-0538PUS1

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL. NO.	FILING OR 371 (c) DATE	ART. UNIT	FIL. FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT. CLMS	IND. CLMS
10/549,697	09/19/2005	2852	1710	1247-0538PUS1	18	17	4

02292  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

CONFIRMATION NO. 9554

CORRECTED FILING RECEIPT



\*00000000020510210\*

Date Mailed: 09/20/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria, Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Takahiko Kimura, Ikoma-shi, JAPAN  
Takeshi Wakabayashi, Soraku-gun, JAPAN  
Teruyoshi Sudoh, Yamatokoriyama-shi, JAPAN

Power of Attorney: The patent practitioners associated with Customer Number 02292

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/03695 03/18/2004

## Foreign Applications

JAPAN 2003-076150 03/19/2003

If Required, Foreign Filing License Granted: 09/20/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/549,697**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title



Remaining amount of tone detecting apparatus, toner cartridge and image forming apparatus

# **Preliminary Class**

399

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PLEASE NOTE:  
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# COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

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As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title: **REMAINING AMOUNT OF TONER DETECTING APPARATUS, TONER CARTRIDGE  
AND IMAGE FORMING APPARATUS**

the specifications of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Fill in Appropriate  
Information -  
For Use  
Without  
Specification  
Attached:

the specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_;  
and amended on \_\_\_\_\_ (if applicable); and/or  
the specification was filed on March 18, 2004 as PCT  
International Application Number PCT/JP2004/003685; and was  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority  
Information:  
(if appropriate)

## Prior Foreign Application(s)

(Number)	(Country)	(Month / Day / Year Filed)
<u>2003-076150</u>	<u>Japan</u>	<u>March 19, 2003</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

## Priority Claimed

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Insert Provisional  
Application(s):  
(if any)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
_____	_____
_____	_____

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed more than 12 months (6 months for designs) Prior to the Filing Date of this Application:

Insert Requested  
Information:  
(if appropriate)

Country	Application Number	Date of Filing (Month / Day / Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
_____	_____	_____

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

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Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP** or CUSTOMER NO. 02292

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of First or  
Sole Inventor:  
Insert Name of Inventor  
Insert Date This  
Document is Signed

Insert Residence  
Insert Citizenship

Insert Mailing  
Address

Full Name of Second  
Inventor, if any:

see above

Full Name of Third  
Inventor, if any

see above

Full Name of Fourth  
Inventor, if any

see above

Full Name of Fifth  
Inventor, if any

see above

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GIVEN NAME Takeshi	FAMILY NAME WAKABAYASHI	INVENTOR'S SIGNATURE <i>Takeshi Wakabayashi</i>	DATE* September 6, 2006
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GIVEN NAME Teruyoshi	FAMILY NAME SUDOH	INVENTOR'S SIGNATURE <i>Teruyoshi Sudo</i>	DATE* September 6, 2006
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			

\* DATE OF SIGNATURE